

REMARKS

Disposition of Claims

Claims 1, 3-5 are pending. Claims 1, 3-5 are currently amended. Support for the amended claims is found throughout the specification, for example in the original claims. No new matter has been added.

Novelty

The Examiner has rejected Claims 1, 3-5 under 35 USC 102(b) as being anticipated, individually, by DE 9105980.1, Aguilar (US 5,833,668), and Nevens (5,226,897). Further, the Examiner has rejected Claims 1, 3-5 under 35 USC 102(e) as being anticipated by Nerney (US 6,368,308). In order to anticipate a claim, a reference must teach each element of the claim.

The Examiner has asserted that all of the cited references teach syringe barrels that have been adapted to be mounted on a cylinder holder, and that the syringe barrels comprise a flange adapted to be held by the flange insertion groove of the syringe holder and a guide with sufficient thickness to prevent insertion into the syringe groove. The Examiner asserts that the cited art is not required to teach a suitable cylinder holder to anticipate the claims.

The claims have been amended to recite an injection apparatus that comprises both a syringe barrel and a cylinder holder. Aguilar, Nevens, and Nerney only teach syringes, they do not teach a holder with which the syringe barrel is engaged as defined by the claims. Therefore these references do not teach all of the limitations of the claims and so cannot anticipate the claims. The rejection should be withdrawn.

Regarding DE9105980.1, Figures 1 and 3 show a holder that engages the flange of the syringe, but it does not teach all of the limitations of the claims. Claim 1 recites the limitation "wherein the guide is a projection having thickness of such size that the projection is prevented from fitting into the flange insertion groove." The Examiner has suggested that feature number 28 of DE9105980.1 is equivalent to the recited guide. However, as shown in Figures 1 and 3, feature 28 fits within the groove (19) of the holder described. Therefore, the cited art does not teach all the limitations of the claims. Thus, the rejection should be withdrawn and the claims allowed.

CONCLUSION

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of all outstanding rejections are respectfully requested.


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Allowance of the claims at an early date is solicited. If any points remain that can be resolved by telephone, the Examiner is invited to contact the undersigned at the below-given telephone number.

Respectfully submitted,

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AMEND

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